

REMARKS

Claims remaining in the present patent application are numbered 1-31. The rejections and comments of the Examiner set forth in the Office Action dated August 18, 2004 have been carefully considered by the Applicant. Applicant respectfully requests the Examiner to consider and allow the remaining claims.

Specification

The Abstract of the Disclosure was objected to because it contained legal phraseology. Applicant has herein amended the Abstract to correct the informality. As such, the objection to the Abstract has been overcome, and Applicant respectfully requests that the Examiner approve the Abstract as amended.

Drawings

The drawings were objected to as failing to comply with 37 CFR 1.84(p)(4) for inconsistent references to reference character "107," and "108," and "240." Applicant has herein amended the specification to properly reference the reference characters "107," and "108," and "240." As such, the drawings are in compliance with 37 CFR 1.84(p)(4).

Specifically, the reference character, "107," has been objected to as improperly designating both a device and digitizer on page 20, paragraph 2. Applicant has amended the specification so that the reference character is designating a device. As such, the 37 CFR 1.84(p)(4) objection as to the reference character "107" has been overcome and is moot at this time.

Moreover, the reference character, "108," has been objected to as improperly designating both a "signal communication device" and a "signal communication interface" on page 21, paragraph 2. Applicant has herein amended the specification so that the reference character, "108," is designating a "signal communication device." As such, the 37 CFR 1.84(p)(4) objection as to the reference character "107" has been overcome and is moot at this time.

Additionally, the reference character, "240," has been objected to as improperly designating both a "GSM radio device" and a "wireless modem device" on page 21, paragraph 2. Applicant has herein amended the specification so that the reference character, "240," is designating a "wireless modem device." As such, the 37 CFR 1.84(p)(4) objection as to the reference character "107" has been overcome and is moot at this time.

35 U.S.C. §102 Rejection

The present Office Action rejected Claims 1-6, 8-9, 12-25, 27-28, and 31 under 35 U.S.C. 102 as being anticipated by Beetcher et al. (U.S. Patent No. 5,933,497). Applicant has reviewed the above cited references and respectfully submits that the embodiments of the present invention as recited in Claims 1-6, 8-9, 12-25, 27-28, and 31, are neither anticipated nor rendered obvious by the Beetcher et al. reference.

Independent Claims 1, 13, and 20

Applicant respectfully points out that independent Claims 1, 13, and 20 each recite that an embodiment of the present invention includes, in part:

wherein said first authorization level
authorizes said electronic device to run controlled
applications having authorization levels not
exceeding said first authorization level;
(Emphasis Added)

In one embodiment, the present invention pertains to a method and system for a security protocol. In particular, independent Claims 1, 13, and 20 recite the enablement of an electronic device by installing a copied serial number and a first authorization level. The first authorization level authorizes the electronic device to run, e.g., execute, controlled applications, or applications with controlled attributes, having authorization levels not exceeding the

first authorization level. That is, the first authorization level generically authorizes all controlled applications and applications with controlled attributes to run on the electronic device as long as those applications have authorization levels not exceeding the first authorization level.

Applicant respectfully notes that the prior art reference, Beetcher et al., does not teach nor suggest the present method and system for security that comprises, in particular, the enablement of an electronic device with a first authorization level that allows the electronic device to run any controlled application, or application with controlled attributes having an authorization level that does not exceed the first authorization level, as claimed above.

In contrast to independent Claims 1, 13, and 20 of the present invention, the Beetcher et al. reference, discloses an apparatus and method for controlling access to software. Specifically, software is distributed without entitlement to run, while a separately distributed encrypted entitlement key enables execution of the software. That is, the entitlement key enables a customer to run only those software modules to which there is a license in a one-to-one authorization relationship.

In particular, the Beetcher et al. reference provides for authorization to run specific applications (e.g., software modules), as opposed to generically authorizing controlled applications to run having authorization levels that do not exceed the first authorization level associated with the electronic device, as recited in independent Claims 1, 13, and 20. For example, the Beetcher et al. reference discloses an entitlement key 20 that includes, in part, a machine serial number field, and product entitlement flags 205. The product entitlement flags 205 contain 80 separate product flags, each corresponding to a product number associated with a specific software module (e.g. application). If the product entitlement flag is set to "1" in the entitlement key 20, the corresponding product number and software module are entitled to run on the electronic device. Importantly, the entitlement key 20 in the Beetcher et al. reference authorizes only specific product numbers and corresponding software modules to run on the electronic device in a one-to-one relationship. For example, to authorize five different product numbers and corresponding software modules, the Beetcher et al. reference would have to set five different bits in the entitlement key.

The claimed embodiment of the present invention, on the other hand, requires the enablement of an electronic device with a first authorization level. The first authorization level allows the electronic device to generically run any

controlled application, or application with controlled attributes having an authorization level that does not exceed the first authorization level, as recited in independent Claims 1, 13, and 20. That is, the first authorization level generically authorizes all applications having authorization levels at or below the first authorization level, thereby obviating the need to do numerous individual authorizations for numerous applications of a same authorization level.

For example, the present invention is able to generically authorize more than one controlled application or application with controlled attributes with the single, first authorization level, as is recited in independent Claims 1, 13, and 20, wherein the first authorization level authorizes the electronic device to run applications with controlled attributes having authorization levels not exceeding the first authorization level. This is in direct contrast to the Beetcher et al. reference that authorizes product numbers and corresponding software modules by specifically enabling a separate bit for each corresponding product number in a one-to-one relationship.

Thus, Applicant respectfully submits that the present invention as disclosed in independent Claims 1, 13, and 20 is not anticipated or rendered obvious by the Beetcher et al. reference, and is therefore in condition for allowance. In addition, Applicant respectfully submits that Claims 2-12

which depend from independent Claim 1 are also in a condition for allowance as being dependent on an allowable base claim. Further, Applicant respectfully submits that Claims 14-19 which depend from independent Claim 13 are also in a condition for allowance as being dependent on an allowable base claim. Also, Applicant respectfully submits that Claims 21-31 which depend from independent Claim 20 are also in a condition for allowance as being dependent on an allowable base claim.

35 U.S.C. §103 Rejection

The present Office Action rejected Claims 7, 10, 11, 26, and 29-30 under 35 U.S.C. 103(a) as being unpatentable over Beetcher et al. in view of Siefert et al. (U.S. Patent No. 6,526,512). Applicant has reviewed the above cited references and respectfully submits that the present invention as recited in Claims 7, 10, 11, 26, and 29-30, is neither anticipated nor rendered obvious by the Beetcher et al. reference taken alone or in combination with the Siefert et al. reference.

Specifically, Applicant respectfully submits that the present invention as disclosed in dependent Claims 7, 10, 11, 26, and 29-30 are not anticipated by the Beetcher et al. reference, taken alone or in combination with the Siefert et al. reference since they depend on allowable base Claims 1,

13, and 20, as previously discussed. As such, dependent Claims 7, 10, 11, 26, and 29-30 are in a condition for allowance as being dependent on allowable base Claims, 1, 13, and 19.

CONCLUSION

In light of the amendments and arguments presented herein, Applicant respectfully requests reconsideration of the rejected claims for allowance thereof.

Based on the arguments presented above, Applicant respectfully asserts that Claims 1-31 overcome the rejections of record. Therefore, Applicant respectfully solicits allowance of these Claims.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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